



STATE OF MARYLAND



FREDERICK COUNTY LIQUOR BOARD

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POLICY: On Site Consumption Permit

ADOPTED: September 30, 2013

REVISED: January 22, 2018

POLICY: It is the policy of the Frederick County Liquor Board that, upon the Board's approval of a request from the holder of a Class DBR, Beer Only license, the Board may issue an On Site Consumption Permit.

PROCEDURES:

1. The Board may grant an On-Site Consumption Permit to an applicant who holds
a Class 5 Manufacturer's License and a Frederick County Class DBR license.

2. An application for the On-Site Consumption Permit must be submitted to the Board for approval. Along with the application, a business plan must be submitted that describes the proposed operation of business, a scale drawing designating that portion of the Brewery facility designated in the On Site Consumption Permit for sale to the general public and a security plan.

3. For the purposes of a Class DBR License and On Site Consumption Permit issued in accordance therewith:

The term "Licensed Premises" or "Establishment" shall apply only to that portion of the Brewery facility designated in the On Site Consumption Permit for sale to the general public.

The term "employee" or "persons employed" shall apply only to Brewery employees on duty and serving members of the general public in the Licensed Premises in connection with its On Site Consumption Permit.

4. With the exception of those activities permitted by a Brewery holding a Class 5 Manufacturer's License, the licensee must adhere to all Alcoholic Beverages Regulations for Frederick County.

5. The licensee must remain in compliance with all Zoning, Health Department and Fire Marshal Regulations and Ordinances.

6. The licensee must obtain approval for any live entertainment by submitting a request to the Board describing the type of entertainment, the location in the licensed premises, and the hours the entertainment will be offered. Approvals from applicable Zoning Boards will be required before the Board will approve a request.

7. The licensee must obtain and keep all necessary licenses including but not limited to the Retail Sales Tax License and the Trader's License.

8. The licensed premises must maintain restrooms for both male and female at all times.

9. No alcoholic beverages are to be given away free with the exception of what is allowed by the Class 5 Manufacturer's License.

10. No alcoholic beverages are to be sold for off-premises consumption with the exception of what is allowed by the Class 5 Manufacturer's License. Any alcoholic beverages sold to go for off-premises consumption must either be removed from the Licensed Premises immediately or held by the licensee in a secure area until later removed by the Customer from the Licensed Premises. Customers cannot keep the product with them while they are consuming alcoholic beverages sold under this permit.

11. With the exception of those activities permitted by a Brewery holding a Class 5 Manufacturer's License, the licensee must comply with the hours of operation for on-premises consumption as provided for in §11-511 of Article 2B.

12. The licensee must have at least one person who is certified by an alcohol awareness program. A copy of the certification must be filed with the Board. It is the responsibility of the licensee to see that the Board receives certifications of all current employees. The licensee must comply with §5.0 of the Alcoholic Beverages Regulations with regard to the Alcohol Awareness Program.

13. Only persons over 21 are allowed in the taprooms after 9 pm, including entertainers or guests of entertainers unless written approval is received by the Board. Persons under 21 cannot sit at the bar. Persons under 21 must be accompanied by a parent or legal guardian over the age of 21.

14. Employees shall not consume any alcoholic beverages while on duty.

15. The total amount of beer sold under the On-Site Consumption Permit must not exceed 500 barrels a year. The licensee or employees of the licensee must provide the number of barrels sold to the Board when requested.

16. If the licensee plans to have a private party other than a Special Event requiring a permit from the Comptroller's Office, a request must be submitted to the Board giving the date, time, and type of party at least two weeks prior to the event. Unless the private party is conducted within a portion of the Licensed Premises inaccessible to the general public, the Licensed Premises must remain closed to the general public for the duration of the event.

17. Special Event Permits are issued by the Comptroller's Office and do not fall under the On Site Consumption Permit. There are 12 allowed per year. It is the responsibility of the licensee to obtain the necessary permits from the Comptroller's Office. The licensee must give this Board notification of the date, time and type of event, along with a copy of the Permit issued by the Comptroller's Office at least two weeks prior to the event. During the event, the regulations for the Special Event shall fall under the Class 5 Manufacturer's License issued by the Comptroller. It is the responsibility of the licensee to give proper notification to the Comptroller's Office.

18. If the Class 5 Manufacturer's License is suspended or revoked by the Comptroller's Office, the Class DBR and the On-Site Consumption Permit is suspended or revoked automatically.

19. The fee for the On-Site Consumption Permit is \$2,000 annually, and shall be applied for along with the original application and subsequent Renewals. The fee is reduced to \$1,000 annually until July 9, 2018.

20. A proposed transferee of a Class 5 Manufacturer's License must submit a transfer application to the Board in order to transfer the Class DBR License and On Site Consumption Permit, but shall not be otherwise required to comply with §3.1(a) through (c) of the Regulations.

21. The provisions of §5.25 and §5.32 of the Regulations shall not apply to Class DBR licensees.

22. The provisions of §6.2 shall only apply to Class DBR Licensees in connection with service to members of the general public in connection with its On Site Consumption Permit.

Adopted this 30th day of September, 2013 by the Board of License Commissioners for Frederick County, Maryland.

Revised this 14th day of April, 2014 by the Board of License Commissioners for Frederick County, Maryland.

Revised this 30th day of March, 2015 by the Board of License Commissioners for Frederick County, Maryland.

Revised this 7th day of March, 2016 by the Board of License Commissioners for Frederick County, Maryland

Revised this 20th day of June, 2016 by the Board of License Commissioners for Frederick County, Maryland.

Editor's note – April 14, 2014 the Board revised the Policy to reduce the fee to \$1,000 for a period of two years beginning April 14, 2014

Editor's note – March 30, 2015 the Board revised the Policy to require a scale drawing of the Brewery to show the area for the general public, define licensed premises, define employee, clarify activities permitted by a Brewery holding a Class 5 Manufacturer's License, allowing alcoholic beverages sold to go to be held in a secure area to be removed later by the customer, hours of operation compliance with exception of the Brewery holding a Class 5 Manufacturer's License, persons under 21 in the licensed premises, Special Event permits and private party clarification, licensed premises being closed during special event permits, proposed transfer applications, provisions of §5.25 and §5.32 of the Regulations do not apply to Class DBR licensees, and §6.2 of the Regulations apply to Class DBR licensees in connection with service members of the general public

Editor's note – March 7, 2016 the Board revised the Policy to reduce the fee to \$1,000 until Renewals are over until July 11, 2016

Editor's note – June 20, 2016 the Board revised the Policy to reduce the fee to \$1,000 until July 9, 2018.

Editor's note – February 27, 2017 the Board revised the Policy to include that there are no persons under 21 in taprooms after 9 pm, persons under 21 cannot sit at the bar, and persons under 21 must be accompanied by a supervising adult over the age of 21.

Editor's note – January 22, 2018 the Board revised the Policy to allow the licensed premises to remain open to the general public during Special Event Permits issued by the Comptroller's Office.